

A new Office Action is respectfully requested, for the reason that the instant Office Action contains defects such that Applicants are unable to understand the nature of the rejections against the claims. There are at least two defects, as follows.

First, in entering the § 102(e) rejection, the Office Action refers to claim language that does not form part of the claims. For example, the Office Action quotes claim language from steps (c) to (f) of Claims 1 and 9. However, Claims 1 and 9 were cancelled in the June 21, 2006 Amendment. (The Office Action incorrectly indicates that these claims are pending in the application.)


Second, the § 102(e) rejection does not address claim language recited in Claim 2 and newly-added Claim 10, which are the only independent claims. In particular, the Office Action does not address the language in steps (c) to (e) of Claim 2. Furthermore, the Office Action does not address any of the language in newly-added Claim 10. In fact, the rejection is word-for-word identical to that from the prior Office Action dated December 21, 2005, except for the addition of Claims 10 and 11 in the list of rejected claims, and a paragraph discussing Claim 11 at page 6 of Office Action. In this regard, the Examiner's attention is respectfully directed to MPEP § 2131:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference [citations admitted]...The identical invention must be shown in as complete detail as is contained in the...claim.” (citing Richardson v. Suzuki Motor Co., 9 USPQ2d 1913.)

In view of the foregoing defects, issuance of a new Office Action is respectfully requested. It is further respectfully requested to reset the period for response, commencing with the mailing date of the new Office Action.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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